

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

SCIENCE APPLICATIONS)	
INTERNATIONAL CORP.,)	
)	
Plaintiff,)	Case No. 17-cv-00825
)	
v.)	
)	Chief Judge Eleni M. Roumel
THE UNITED STATES OF AMERICA,)	
)	
Defendant,)	
)	
MICROSOFT CORPORATION,)	
)	
Defendant-Intervenor,)	
)	
and)	
)	
L3 TECHNOLOGIES, INC.,)	
)	
Third Party Defendant.)	

JOINT STATUS REPORT

Pursuant to the Court’s Order, dated December 1, 2020 (D.I. 154), Plaintiff Science Applications International Corp. (“SAIC”), Defendant the United States of America (“Government”), Defendant-Intervenor Microsoft Corp. (“Microsoft”), and Third-Party Defendant L3 Technologies, Inc. (“L3”) submit the following Joint Status Report.

I. The Parties’ Efforts to Narrow the Terms in Dispute

Following the December 1, 2020, Pre-*Markman* Status Conference, the parties exchanged communications and met and conferred on Friday, December 4, 2020, in an effort to narrow the number of terms in dispute for the *Markman* hearing. The parties are pleased to report that they have come to an agreement.

The parties agree that the following five terms should be given their plain and ordinary meaning and that no construction is necessary:

1. video camera
2. video source
3. external environment
4. twist rotation
5. orientation

In reaching this agreement, the parties agree that they (i) do not adopt any opposing party's previously proposed constructions or reasoning and (ii) will not use this agreement to later argue that a previously proposed construction does not reflect the plain and ordinary meaning of the term.

II. Attendees for the December 15, 2020 Markman Hearing

The parties identify the following individuals who will attend the December 15, 2020 *Markman* hearing.

For SAIC:

- Stephen Smith (in person, active participant)
- DeAnna Allen (in person, active participant)
- Goutam Patnaik (in person)
- Gwendolyn Tawresey (remote)
- Stephen Crenshaw (remote)¹
- Samantha Garner, SAIC in-house counsel (in person if possible, otherwise remote)

¹ Other Cooley associates, including Mark Zambarda, Alissa Wood, and Beth Shrieves, intend to dial in to listen to the hearing as part of Cooley's "shadow" training program.

- John Clarke, SAIC in-house counsel (remote)

For the Government:

- Alex Hanna (in person, active participant)
- Scott Bolden (remote)²

For Microsoft:

- Thomas Halkowski (in person, active participant)
- Ahmed Davis (in person)
- Mark Taylor, Microsoft in-house counsel (remote)

For L3:

- William Bergmann (in person, active participant)
- Michael Anderson (in person, active participant)
- Mitch Evander, L3 in-house counsel (remote)
- Eric Spencer, L3 in-house counsel (remote)
- Stacey Burton, L3 in-house counsel (remote)

² Department of Justice Honors Program attorneys, David Pace and Rachel Hicks, plan to attend remotely for purposes of new attorney training.

Dated December 10, 2020

Respectfully submitted,

SCIENCE APPLICATIONS INTERNATIONAL
CORP.

By its attorneys,

/s/ Stephen R. Smith

Stephen R. Smith (Attorney of Record)

DeAnna D. Allen (Of Counsel)

Erin M. Estevez (Of Counsel)

Stephen C. Crenshaw (Of Counsel)

COOLEY LLP

1299 Pennsylvania Avenue, NW

Suite 700

Washington, DC 20004

Tel: (202) 842-7800

Fax: (202) 842-7899

stephen.smith@cooley.com

dallen@cooley.com

eestevez@cooley.com

screnshaw@cooley.com

Douglas P. Lobel (Of Counsel)

COOLEY LLP

11951 Freedom Drive

Reston, VA 20190-5656

Tel: (703) 456-8000

Fax: (703) 456-8100

dlobel@cooley.com

Goutam Patnaik

Gwendolyn Tawresey

Troutman Pepper Hamilton Sanders LLP

2000 K Street, N.W., Suite 600

Washington, DC 20006

(202) 220-1237

Fax: (202) 220-1665

Email: goutam.patnaik@troutman.com

Email: gwendolyn.tawresey@troutman.com

Counsel for Plaintiff

Science Applications International Corp.

JENNIFER DICKEY
Principal Deputy Assistant Attorney General

GARY L. HAUSKEN
Director

Of Counsel:
SCOTT BOLDEN
Department of Justice

/s/ Alex Hanna
ALEX HANNA
Trial Attorney
Commercial Litigation Branch
Civil Division
Department of Justice
Washington, DC 20530
Email: Alex.Hanna@USDOJ.gov
Telephone: (202) 307-0343
Facsimile: (202) 307-0345

*COUNSEL FOR DEFENDANT THE UNITED
STATES OF AMERICA*

/s/ Thomas L. Halkowski
Thomas L. Halkowski (Attorney of Record)
halkowski@fr.com

Ahmed J. Davis (Of Counsel)
adavis@fr.com
W. Freeman, Jr. (Of Counsel)
kfreeman@fr.com
FISH & RICHARDSON P.C.
1000 Maine Ave., SW Suite 1000
Washington, DC 20024
Telephone: (202) 783-5070

Proshanto Mukherji (Of Counsel)
mukherji@fr.com
FISH & RICHARDSON P.C.
One Marina Park Drive, Boston, MA 02210-1878
Telephone: (617) 542-5070

*Counsel for Defendant-Intervenor Microsoft
Corporation*

Of Counsel

MICHAEL ANDERSON
CASSANDRA SIMMONS

Baker & Hostetler LLP
Washington Square, Suite 1100
1050 Connecticut Avenue, NW
Washington, DC 20036-5304
Telephone: (202) 861-1549
Facsimile: (202) 861-1783
manderson@bakerlaw.com
csimmons@bakerlaw.com

/s/ William C. Bergman

WILLIAM C. BERGMANN
Baker & Hostetler LLP
Washington Square, Suite 1100
1050 Connecticut Avenue, NW
Washington, DC 20036-5304
Telephone: (202) 861-1549
Facsimile: (202) 861-1783
wbergmann@bakerlaw.com

Attorney for L3 Technologies, Inc.